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windstream™



August 20, 2013

Mr. Doug Pratt
Public Service Commission of South Carolina
101 Executive Center Drive
Suite 100
Columbia, SC 29210

RECEIVED

AUG 27 2013

Re: *Connect America Fund*, WC Docket No. 10-90

PSC SC
MAIL / DMS

Dear Mr. Pratt:

Pursuant to 47 C.F.R. § 54.312(c)(4), attached is the August 20, 2013 submission made by Windstream Corporation ("Windstream") to the Federal Communications Commission in which Windstream's affiliates elect to accept incremental support from Phase I of the Connect America Fund.

Please do not hesitate to contact the undersigned with any questions or concerns about the attached.

Sincerely yours,

/s/ Malena F. Barzilai

Malena F. Barzilai

Attachments

RECEIVED

AUG 27 2013

PSC SC
MAIL / DMS

Eric N. Einhorn
Senior Vice President, Government Affairs and Strategy
Windstream Communications, Inc.
1101 17th Street, N.W., Suite 802
Washington, DC 20036

(202) 223-7668
eric.n.einhorn@windstream.com



VIA COURIER AND ECFS

August 20, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Connect America Fund*, WC Docket No. 10-90
Election of 2013 Connect America Fund Phase I Incremental Support

Dear Ms. Dortch:

Windstream Corporation, on behalf of its incumbent local exchange carrier affiliates (hereinafter “Windstream”), is very pleased to elect to accept the \$60,404,310 in incremental support allocated to it for 2013 under Phase I of the Connect America Fund (“CAF”). In addition, Windstream elects to accept \$63,538,965 above its initial allocation, for a total election of \$123,943,275.¹

As intended, CAF Phase I funding will provide an immediate boost to broadband deployment and will bring robust speeds to consumers who do not currently have it. With this support, Windstream intends to deploy broadband meeting the Commission’s standards to 217,638 locations—18,855 locations that are currently unserved by fixed, terrestrial Internet access with minimum speeds of 768 kbps downstream and 200 kbps upstream, and 198,783 locations that lack 3 Mbps/768 kbps Internet access.

Windstream makes its elections above the allocated \$60,404,310 conditionally as permitted by the Commission,² and Windstream’s ability to utilize the support in excess of its

¹ See *Connect America Fund*, WC Docket No. 10-90, Report and Order, at para. 11 (rel. May 22, 2013) (*CAF Phase I Order*) (stating that “a carrier may also elect to receive an amount above its allocated incremental support, up to the total budget of \$300 million for this second round of Phase I. . . . If the total demand of all carriers exceeds \$300 million, we authorize up to an additional \$185 million in funding.”).

² See *id.* at para. 11, fn.30.

allocation will be dependent on the results of the forthcoming challenge process and whether such results alter the economic viability of particular deployment projects.

Attachment 1 to this Election—submitted to the Commission on CD-ROM and in PDF format for the ECFS filing—is an .xls file identifying, by 2010 Census Block FIPS code and wire center CLLI code, the locations where Windstream intends to deploy broadband service in satisfaction of the Commission’s requirements. Included in this file are locations in census blocks that are shown on the sixth version of the National Broadband Map (data as of June 2012) as served with broadband by a provider other than Windstream. In these census blocks and locations, which are clearly delineated on Attachment 1, Windstream hereby challenges the National Broadband Map classification as served.³

The evidence in support of these challenges is a signed certification from Anthony W. Thomas, Chief Financial Officer of Windstream, that Windstream’s analysis shows that it did not port a telephone number used to serve a Windstream customer who also subscribed to broadband in the census block to a provider other than Windstream during the period December 1, 2011 through May 31, 2013.⁴ This certification, as well as other certifications required by Section 54.313(c) of the Commission’s rules, is Attachment 2 to this document. Attachment 3 is a Declaration by Christopher B. Raper, Windstream’s Vice President – Consumer Analytics, intended to describe the manner in which Windstream conducted the above-referenced analysis.

Please feel free to contact me if you have any questions or need any more information.

Sincerely yours,

/s/ Eric N. Einhorn

Eric N. Einhorn

³ See *id.* at paras. 31-32.

⁴ See *id.* at para. 33, fn.68 (noting that “a complete lack of number porting to a number of census blocks over a sufficiently long time period would ... bring into question whether the cable company or WISP is actually offering broadband in that area”).

cc: Amy Bender
Ryan Yates
Alex Minard
USAC
Alabama Public Service Commission
Arkansas Public Service Commission
Florida Public Service Commission
Georgia Public Service Commission
Iowa Utilities Board
Kentucky Public Service Commission
Missouri Public Service Commission
Mississippi Public Service Commission
North Carolina Utilities Commission
Nebraska Public Service Commission
New Mexico Public Regulation Commission
New York Public Service Commission
Public Utilities Commission of Ohio
Oklahoma Corporation Commission
Pennsylvania Public Utility Commission
South Carolina Public Service Commission
Public Utility Commission of Texas
Apache Tribe of Oklahoma
Cherokee Nation
Chickasaw Nation
Choctaw Nation of Oklahoma
Comanche Nation
Fort Sill Apache Tribe of Oklahoma
Jicarilla Apache Nation
Kaw Nation
Kickapoo Tribe of Oklahoma
Kiowa Indian Tribe of Oklahoma
Seneca Nation of New York
Cheyenne-Arapaho Tribes of Oklahoma
Muscogee (Creek) Nation

ATTACHMENT 1
(see CD-ROM)

ATTACHMENT 2

Certification Pursuant to 47 C.F.R. § 54.312(c)(5)

With respect to the election made in the Windstream Election to which this document is attached, and pursuant to 47 C.F.R. § 54.312(c)(5), the undersigned certifies as follows:

- (1) the locations to be served to satisfy the deployment obligation either: (a) are not shown as served by fixed broadband at the speeds specified in 47 C.F.R. § 54.312(c)(2) or (c)(3) (as appropriate) by any entity other than Windstream or a Windstream affiliate according to Census Block (CB) service data downloaded from the National Broadband Map on May 1, 2013 and ESRI Shapefiles downloaded from the National Broadband Map (NBM) on May 29, 2013, which reflect the NBM that was publicly available on the date eligible support amounts were announced; (b) are locations in CBs the designation of which is being challenged by Windstream under the challenge process in 47 C.F.R. § 54.312(c)(7); or (c) are locations to be served pursuant to 47 C.F.R. § 54.312(c)(2) that are in CBs for which Windstream is seeking funding pursuant to 47 C.F.R. § 54.312(c)(3);
- (2) to the best of the Windstream's knowledge, the locations are, in fact, unserved by fixed Internet access at speeds of at least 3 Mbps downstream and 768 kbps upstream, or 768 kbps downstream and 200 kbps upstream, as appropriate;
- (3) with the exception of CBs referenced in (1)(c), above, Windstream does not, in fact, provide Internet access at a speed of at least 768 kbps downstream and 200 kbps upstream to any location in a CB for which Windstream is seeking funding pursuant to 47 C.F.R. § 54.312(c)(2);
- (4) Windstream's current capital improvement plan does not already include plans to complete broadband deployment within the next three years to the locations to be counted to satisfy the deployment obligation;
- (5) incremental support will not be used to satisfy any merger commitment or similar regulatory obligation; and
- (6) Windstream has undertaken due diligence to determine the locations in question are not within the service area of either Broadband Initiatives Program or Broadband Technology Opportunities Program projects that will provide Internet access with speeds of at least 3 Mbps downstream and 768 upstream.

Further with respect to the election made in the Windstream Election to which this document is attached, and, and pursuant to the Commission's Report and Order adopted on May 21, 2013, in this proceeding, the undersigned certifies as follows under penalty of perjury:

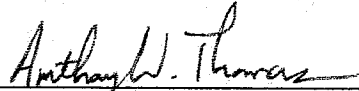
- (7) with the exception of CBs referenced in (1)(c), above, with respect to CBs in which Windstream is seeking funding pursuant to 47 C.F.R. § 54.312(c)(2) in which the NBM shows Windstream as offering Internet access at speeds of at least 768 kbps downstream

and 200 kbps upstream, Windstream does not, in fact, offer Internet access at such speeds;¹

(8) with respect to CBs referenced in (1)(c) in which the NBM shows Windstream as offering Internet access at speeds of at least 768 kbps downstream and 200 kbps upstream, Windstream does not, in fact, offer Internet access at those speeds to the locations for which Windstream seeks funding pursuant to 47 C.F.R. § 54.312(c)(2);²

(9) with regard to those locations to be served pursuant to 47 C.F.R. § 54.312(c)(3): (a) such locations are currently served from a copper-fed digital subscriber line access multiplexer; and (b) Windstream does not, in fact, provide Internet access service to such locations at speeds of at least 3 Mbps downstream and 768 kbps upstream, regardless of the depiction of Windstream's service offering on the NBM;³

(10) with regard to the CBs in which Windstream is challenging under the process in 47 C.F.R. § 54.312(c)(7) the NBM's designation of a particular CB as one in which a company other than Windstream is providing fixed Internet access at speeds of at least 768 kbps downstream and 200 kbps upstream, Windstream's analysis, which I believe was conducted with due care, demonstrates that Windstream did not port a telephone number used to serve a Windstream customer who also subscribed to broadband in such CB to a provider other than Windstream during the period December 1, 2011 through May 31, 2013.⁴



Anthony W. Thomas
Chief Financial Officer

¹ See *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 7766, at ¶¶ 28-37 (2013) (*CAF Phase I Order*).

² *Id.*

³ *Id.* at n.43.

⁴ *Id.* at n.68.

ATTACHMENT 3

Declaration of Christopher B. Raper

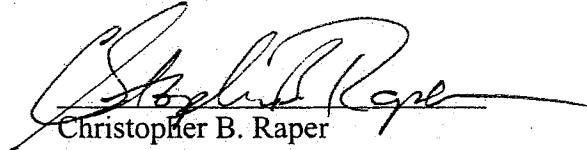
My name is Christopher B. Raper. I am currently Vice President – Consumer Analytics for Windstream. My responsibilities include, among other things, managing Windstream's use of internal and external data to determine customer behavior from a variety of product, geography, and other perspectives.

The purpose of this Declaration is to describe the manner in which Windstream has concluded that it did not port a telephone number used to serve a Windstream customer who also subscribed to broadband to a provider of fixed Internet Access other than Windstream in a particular Census Block (CB) during the period December 1, 2011 through May 31, 2013. This Declaration serves to augment, not substitute for, the Windstream corporate officer certification also attached to Windstream's Election.

Windstream's porting analysis that is the subject of my Declaration began by developing an electronic file containing records of all instances in which a local telephone number was ported from Windstream to another carrier for the 18-month period of December 1, 2011 through May 31, 2013 including, among other things, telephone number and the ported-to carrier.

The porting data was then associated with archived customer profile data for that period that included, among other things, service telephone number and whether the customer subscribed to broadband from Windstream at any speed. These profiles were matched to CBs using data provided by a third party vendor. This process yielded a data set that showed how many ports occurred in a CB during that time period. To the extent that this analysis showed no ports for the time period for a particular CB but the National Broadband Map (NBM) Round 6 data (downloaded on May 1, 2013) shows a competitor, Windstream is challenging the NBM's representation, and has so indicated on its Election

I declare that the foregoing is true to the best of my knowledge, information and, belief.



Christopher B. Raper
Vice President – Consumer Analytics